

UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

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SERIAL NUMBER FILING DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NO.

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED:

Below is a communication from the EXAMINER in charge of this application
COMMISSIONER OF PATENTS AND TRADEMARKS
ADVISORY ACTION
The service ran arrangular.
THE PERIOD FOR RESPONSE: I is extended to run THOS from the date of the Final Rejection NOTICE 27 A 2 2 6 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4
continues to run from the date of the Final Rejection
expires three months from the date of the final rejection or as of the mailing date of this Advisory Action, whichever is later. In no event however, will the statutory period for response expire later than six months from the date of the final rejection.
Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date that the shortened statutory period for response expires as set forth above.
Appellant's Brief is due in accordance with 37 CFR 1. 92(a).
Applicant's response to the final rejection, filed 2/16(01), has been considered with the following affect, but it is not deemed to place the application in condition for allowance:
1. The proposed amendments to the claim and/or specification will not be entered and the final rejection stands because:
a. There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.
b. They raise new issues that would require further consideration and/or search. (See Note).
c. They raise the issue of new matter. (See Note).
d. They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
e. They present additional claims without cancelling a corresponding number of finally rejected claims.
NOTE:
2. Newly proposed or amended claims would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims.
3. Dupon the filing of an appeal, the proposed amendment will be will not be, entered and the status of the claims in this application would be as follows:
Allowed claims: 21-34 Claims objected to: 38-89
Claims rejected: 2.7-3\/ 35-3 \/ 40-\(\)
a. The rejection of claims on references is deemed to be overcome by applicant's response. b. The rejection of claims on non-reference grounds only is deemed to be overcome by applicant's response.
4. The affidavit, exhibit or request to reconsideration has been considered but does not overcome the rejection. The Particular UND R. III ARC MAINTAINED - FOR REACOND OF RESERVED. 5. The affidavit or exhibit will not be considered because applicant has not shown good and sufficient reasons why it was not earlier presented.
☐ The proposed drawing correction · ☐ has ☐ has not been approved by the examiner.
Other





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		FIRST NAMED APPLICANT	ΔΤΤ	ORNEY DOCKET NO.
SERIAL NUMBER FILING	DAIL	FIRST NAMED AFFEIGART		Oliver Booker No.
09/063,356	04/21/98	BEATTIE	Κ	029623/0105

HM12/0313

COLIN G. SANDERCOCK FOLEY & LARDNER 3000 K ST NW STE 500 WASHINGTON DC 20007-5109

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SALINIT	ERS.D.
ART UNIT	PAPER NUMBER
1644	17

DATE MAILED:

03/13/01

Below is a communication from the EXAMINER in charge of this application COMMISSIONER OF PATENTS AND TRADEMARKS

ADVISORY ACTION

			ADVISOR1 ACT	1014	
D THE PER	RIOD FOR RES	SPONSE:			
			or continues to run	from the date of the final rej	APPEAL
b) expi	res three month	ns from the date of t the statutory period	he final rejection or as of the for the response expire later	mailing date of this Advisory Action, which than six months from the date of the fine	chever is later. In no
The	date on which	the response, the print of a	etition, and the fee have been	CFR 1.136(a), the proposed response a n filed is the date of the response and al ing amount or the fee. Any extension fe tatutory period for response or as set for	so the date for the e pursuant to 37 CFR
		in accordance with			
Applicant to place	t's response to the application	the final rejection, fin condition for allo	iled 2/16/01 has wance:	beeh considered with the following effect	at, but it is not deemed
1. The	proposed amen	dments to the claim	and /or specification will not	be entered and the final rejection stands	because:
a. [There is no copresented.	onvincing showing u	inder 37 CFR 1.116(b) why the	ne proposed amendment is necessary ar	nd was not earlier
b. [They raise ne	w issues that would	require further consideration	and/or search. (See Note).	
c. [They raise th	e issue of new matt	er. (See Note).		
d. [They are no appeal.	t deemed to place t	ne application in better form f	or appeal by materially reducing or simple	lifying the issues for
e. 🗆	They presen	t additional claims w	vithout cancelling a correspor	ding number of finally rejected claims.	
NOT	E:				
2. New	rly proposed or non-allowable of	r amended claims claims.	would be	allowed if submitted in a separately filed	amendment cancelling
	n the filing an a	appeal, the propose	d amendment Will be ent	ered will not be entered and the state	tus of the claims will
Clai	ms allowed: _	21-26	32-34		
Clai Clai	ms objected to: ms rejected:	38-39	32-34 , 35-37 40	-82	
_	However;				
	Applicant's res	ponse has overcom	e the following rejection(s): _		
· 4. The	affidavit, exhib	oit or request for rec UUD CR 112	onsideration has been considered ARC MAINTAGE	lered but does not overcome the rejection	n because THE
	affidavit as as-	ibit will not be seen	dered because applicant has	not shown good and sufficent reasons v	why it was not earlier
	attidavit or exh sented.	iloit will not be consi	oered pacause applicant has	<u>^</u>	aa Same
The prop	osed drawing o	correction has	has not been approved		AUNDERS
Other				PRIMARY	EXAMINER
				ART U	NIT 182-16My